

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RASEAN MALONE,

Petitioner,

v.

SUPERINTENDENT BARRY SMITH, et
al.,

Respondents.

Case No. 2:19-cv-02800-JDW

ORDER

AND NOW this 6th day of April 2021, upon review of the Report and Recommendation (ECF No. 23) and Petitioner's Objection to the Magistrate's Report & Recommendation (ECF No. 26), it is **ORDERED** that the Court adopts Judge Hey's Report and Recommendation and overrules Petitioner's Objections, for the reasons stated in the accompanying Memorandum.

It is **FURTHER ORDERED** that the Court will not enter a Certificate of Appealability.

BY THE COURT:

/s/ Joshua D. Wolson

JOSHUA D. WOLSON, J.